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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE
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9 VINCENT DANIEL HOPPER, now
known as ANTOLIN ANDREW MARKS,

10 Petitioner,

11 v.

12 NEIL CLARK, *et al.*,

13 Respondents.

Case No. C05-1812RSL

ORDER GRANTING MOTION
FOR RECONSIDERATION AND
REFERRING MATTER TO
MAGISTRATE JUDGE


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15 On or about June 5, 2006, the Court issued an order adopting the Report and
16 Recommendation of the Honorable Magistrate Judge Mary Alice Theiler in the above-captioned
17 matter. Petitioner filed a timely motion to reopen the case, which the Court has considered as a
18 motion for reconsideration. The order adopting the Report and Recommendation erred:
19 petitioner had been returned to the Northwest Detention Center and US Immigration and
20 Customs Enforcement custody on April 11, 2006. His removal proceedings were reopened on
21 May 2, 2006, making dismissal on the grounds of mootness inappropriate.

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23 Pursuant to Local Civil Rule 7(h)(3), respondents were given an opportunity to
24 respond to petitioner's motion for reconsideration. No response having been filed, petitioner's
25 motion for reconsideration is GRANTED. The above-captioned matter is hereby reopened and

26 ORDER GRANTING MOTION FOR
RECONSIDERATION AND REFERRING
MATTER TO MAGISTRATE JUDGE

1 referred to Judge Theiler for consideration of respondents' original motion to dismiss (Dkt.
2 # 34).

3 DATED this 17th day of July, 2006.

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6 Robert S. Lasnik,
7 United States District Judge
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26 ORDER GRANTING MOTION FOR
RECONSIDERATION AND REFERRING
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